

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GRANT M. WALKER, EDWARD ZERINGUE, and RICHARD W. DRAKE, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

MONSANTO COMPANY PENSION PLAN and MONSANTO COMPANY,

Defendants.

GLYNN DAVIS, EUGENE FORNERIS, and JUANITA HAMMOND, individually and on behalf of all those similarly situated,

Plaintiffs,

v.

SOLUTIA INC. EMPLOYEES' PENSION PLAN,

Defendant.

FRED DONALDSON, ALBERT WALTER III, MARY CLAWSON, SANDRA BELLON, AUDREY SOKOLOSKI, and CAROL THOMAS, individually and on behalf of all those similarly situated,

Plaintiffs,

v.

PHARMACIA CASH BALANCE PENSION PLAN,
PHARMACIA CORPORATION, PHARMACIA & UPJOHN COMPANY, and PFIZER, INC.,

Defendants.

Case No. 3:04-cv-436-JPG-PMF

CONSOLIDATED CLASS ACTION

Consolidated with:

Case No. 05-cv-736-JPG

Case No. 06-cv-3-JPG

Case No. 06-cv-139-JPG

JUDGMENT

This matter having come before the Court, the issues having been heard, and the Court

having rendered a decision as to some matters and the parties having stipulated to others,

IT IS HEREBY ORDERED AND ADJUDGED that judgment on Counts I, II and III is entered in favor of defendants Monsanto Company Pension Plan and Monsanto Company and against plaintiffs Grant M. Walker, Edward Zeringue and Richard W. Drake, individually and on behalf of the Monsanto Defendants' Age 55 Cut-Off Class, defined as:

All current vested Monsanto Plan participants (and their beneficiaries) with Prior Plan Accounts, all former vested Monsanto Plan participants (and their beneficiaries) with Prior Plan Accounts who terminated employment with New Monsanto on or after September 1, 2000, and all former employees of DEKALB Genetic Corporation who participated at any time in the Monsanto Plan.

Excluded from the Monsanto Defendants' Age 55 Cut-Off Class are participants who terminated employment with New Monsanto prior to age 55 and who took their pension benefits in some form of annuity. Also *excluded* from the Monsanto Defendants' Age 55 Cut-Off Class are the Defendants, members and staff of the Employee Benefits Plans Committee, any entity in which Defendants have a controlling interest or which has a controlling interest of Defendants; Defendants' legal representatives (including employees of New Monsanto's Law Department), assigns, and successors, and any judges assigned to this case and any member of such judge's immediate family;

IT IS FURTHER ORDERED AND ADJUDGED THAT judgment on Counts I, II and III is entered in favor of defendant Solutia Inc. Employees' Pension Plan and against plaintiffs Glynn Davis, Eugene Forneris, and Juanita Hammond, individually and on behalf of the Solutia Plan's Age 55 Cut-Off Class, defined as:

All current and former vested Solutia Plan participants (and their beneficiaries) with Prior Plan Accounts on or after January 1, 1997.

Excluded from the Solutia Plan's Age 55 Cut-Off Class are participants who terminated employment with Solutia Inc. prior to age 55 and who took their pension benefits in some form of annuity. Also *excluded* from the Solutia Plan's Age 55 Cut-Off Class are the Defendant, members and staff of the Employee Benefits Plans Committee, any entity in which Defendant has a controlling interest or which has a controlling interest of Defendant; Defendant's legal representatives (including employees of Solutia Inc.'s Law Department), assigns, and successors, and any judges assigned to this case and any member of such judge's immediate family;

IT IS FURTHER ORDERED AND ADJUDGED THAT judgment on Counts I, II and III is entered in favor of defendants Pharmacia Cash Balance Pension Plan, Pharmacia Corporation, Pharmacia & Upjohn Company and Pfizer, Inc. and against plaintiffs Fred Donaldson, Albert Walter III, Mary Clawson, Sandra Bellon, Audrey Sokoloski, and Carol Thomas, individually

and on behalf of the Pharmacia Defendants' Age 55 Cut-Off Class, defined as:

All current and former vested Pharmacia Plan participants (and their beneficiaries) with Prior Plan Accounts, and all former vested Monsanto Plan participants (and their beneficiaries) with Prior Plan Accounts who terminated employment with old Monsanto Company or Pharmacia Corporation on or after January 1, 1997 and on or before December 31, 2001, other than former employees of DEKALB Genetic Corporation and other than persons who are members of the Solutia Plan's Age 55 Cut-Off Class.

Excluded from the Pharmacia Defendants' Age 55 Cut-Off Class are participants who terminated employment with Pharmacia Corporation prior to age 55 and who took their pension benefits in some form of annuity. Also *excluded* from the Pharmacia Defendants' Age 55 Cut-Off Class are the Defendants, members and staff of the Employee Benefits Plans Committee, any entity in which Defendants have a controlling interest or which has a controlling interest of Defendants; Defendants' legal representatives (including employees of the Law Departments of Pharmacia Corporation, Pharmacia & Upjohn Company, and Pfizer Inc.), assigns, and successors, and any judges assigned to this case and any member of such judge's immediate family;

IT IS FURTHER ORDERED AND ADJUDGED that Counts IV, V and VI are dismissed without prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that Counts VII, VIII and IX are dismissed with prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that in settlement of Count X defendants Monsanto Company Pension Plan and Monsanto Company shall pay \$590,428.04 in compensation to the Monsanto Defendants' Late Lump Sum Class, defined as:

All former Monsanto Company Pension Plan participants (and their beneficiaries) with Prior Plan Accounts who terminated employment with New Monsanto on or after September 1, 2000, and who took a lump sum distribution at least one complete calendar month after their Benefit Commencement Date; all current Monsanto Company Pension Plan participants (and their beneficiaries) with Prior Plan Accounts who have not yet taken a distribution of their pension benefits.

Excluded from the Monsanto Defendants' Late Lump Sum Class are the Defendants, members and staff of the Employee Benefits Plans Committee, any entity in which Defendants have a controlling interest or which has a controlling interest of Defendants; Defendants' legal representatives (including employees of Monsanto's Law Department), assigns, and successors, and any judges assigned to this case and any member of such judge's immediate family;

that defendants Monsanto Company Pension Plan and Monsanto Company shall pay \$209,571.96 in attorney's fees to Monsanto Defendants' Late Lump Sum Class counsel; and that Count X is dismissed with prejudice, the parties to pay their own costs except as provided herein.

DATED: September 29, 2009

JUSTINE FLANAGAN, Acting Clerk

s/Donna Stull
Deputy Clerk

Approved: s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE